

**MINUTES**  
**COMMISSIONERS OF BRIDGEVILLE**  
**April 11, 2016 – TOWN HALL**  
**EXECUTIVE Session 6:30 PM**  
**OPEN SESSION 7:00 PM**

**I. CALL TO ORDER**

The meeting was called to order at 6:30 P.M. by President Pat Correll. Present: Commissioners Timothy Banks, Kevin Carson, Sharon McDowell, Lawrence Tassone, Town Manager Jesse Savage and Solicitor Dennis Schrader.

**II. QUORUM PRESENT**

President Correll reported a quorum was present to discuss Bridgeville Town business.

**III. APPROVAL OF AGENDA**

Motion to approve the Agenda – Tassone; 2<sup>nd</sup> – McDowell; motion carried.

**IV. EXECUTIVE SESSION – Personnel**

Motion to go into Executive Session – Tassone; 2<sup>nd</sup> – McDowell; motion carried; the Commissioners went into Executive Session at 6:30 P.M.

**V. RETURN TO OPEN SESSION**

Motion to return to Open Session – Tassone; 2<sup>nd</sup> – McDowell; motion carried; The Commission returned to Open Session at 7:00 P.M.

Solicitor Schrader advised the Commissioners discussed Police Department Personnel during the Executive Session and no votes were taken. Based on Executive Session discussion, Commissioner McDowell made a motion in Open Session to approve Lieutenant Burke Parker as Acting Police Chief until the month of December. Commissioner Tassone seconded the motion and it was passed unanimously.

The meeting began with the Pledge of Allegiance and Prayer.

**VI. APPROVAL OF MINUTES**

Motion to approve Minutes from the February 25<sup>th</sup> MS4 Symposium Workshop; Minutes from the March 10<sup>th</sup> Source Water Protection Ordinance Workshop and Executive Session and Regular Session Minutes from the March 14<sup>th</sup> Commission meeting – Tassone; 2<sup>nd</sup> – McDowell; motion carried. Dr. Carson advised he was not in attendance at the MS4 Symposium Workshop or the Source Water Protection Ordinance Workshop and therefore abstained from voting on those minutes.

**VII. CORRESPONDENCE**

Town Manager Savage advised the Town received a letter from Nanticoke Health Services thanking the Commission for its gift of \$2,000, as part of a \$10,000 pledge (year 2 of a 5-year commitment).

## **VIII. APPROVAL OF FINANCIAL STATEMENTS AND BILLS PAYABLE**

### **Balance Sheet – March 31, 2016**

General Fund – \$692,809 (decrease of \$210,447 over last month)

All Accounts – \$1,853,691 (decrease of \$75,196)

Accounts Receivable – \$166,011

### **Budget Report Target – 75% (9 months into budget year)**

Income – \$2,040,051 (Income at 79% of budget)

Expenses – \$1,808,541 (Expenses at 70% of budget)

Net Income – \$231,511

### **Accounts Payable**

Bills – \$40,760

Expected Expenses – \$129,300 (including health insurance, payroll, utilities, etc.)

Total estimated amount to be approved – \$170,060

Town Manager Savage advised the significant General Fund decrease of \$210,447 is due to the carryover of surplus from FY-2015. Transfers were made to assign these amounts to their appropriate departments (approximately \$143,000).

Commissioner Carson mentioned increasing costs for insurance and health care. These will continue to be a greater portion of our budget and the Town needs to be aware and prepared.

Motion to pay the bills as presented – Tassone; 2<sup>nd</sup> – Banks; motion carried.

## **IX. TOWN REPORTS**

Commissioner Tassone questioned a signed affidavit from Brookfield concerning the Heritage Shores Bike Path. Town Manager Savage reported the paperwork was received and Solicitor Schrader sent it to court.

President Correll advised Street Superintendent Passwaters is currently at home convalescing and is doing well. We expect him to return to work in May.

Commissioner Tassone questioned a fire hydrant struck at Canterbury Apartments and out-of-service. The Town will be reimbursed for damages.

## **X. CITIZEN'S PRIVILEGE**

Ms. Karen Johnson from the Bridgeville Public Library advised this is National Library Week. She came with gifts for the Commissioners – shirts and other items advertising the Library theme – “Behind Every Great Community is a Great Library”. The Friends Group will have coffee and refreshments this week and a raffle is also taking place. Thursday the library is hosting “Reminiscing in Bridgeville” in conjunction with the Historical Society. The “Jumping June Jamboree” will be held Saturday, June 4 from 11 am to 3 pm.

The Library has recently finished assisting residents with AARP tax assistance for low/middle income families and senior citizens; 167 federal tax returns and 188 state returns were filed.

Ms. Johnson reported Apple Scrapple Festival's 25<sup>th</sup> Anniversary is October 14 & 15 and distributed a draft picture for t-shirts this year. Last year highlighted the Police Department and this year – the Commissioners! Please note – the committee is always looking for more volunteers.

The 2016 Apple Scrapple Festival has been chosen for the 2016 “100 Best Events in the Country” by the ABA (American Bus Association). This is the second time the Town has received this honor.

Ms. Johnson recommended re-looking at the small Apple Scrapple banners for future up-sizing, since the artwork is already done.

Mr. Bill Atwood from 113 Emily's Pintail Dr. advised the Heritage Shores Military Club will sponsor military band concerts in 2016. The club will initiate a 4-band series: May 18<sup>th</sup> Navy Country/Western Band and July 14 Navy Jazz Band. Dates are forthcoming for the Army Ambassadors Jazz Band and Army Field Band. The concerts will be at Heritage Shores, except for the Army Field Band Concert at the high school. The Commissioners participated in sponsorships in 2014 and Mr. Atwood hopes they will sponsor again this year.

Mr. Phil Clark from 32 Amanda's Teal Dr. added the Friends of the Library are hosting a celebrity bartending event tomorrow at Heritage Shores Tavern 4:30 – 6:30 P.M. on April 12<sup>th</sup>. 90% of tips and 10% of food sales will go to the Library.

## **XI. OLD BUSINESS**

### **A. New Police Station Schematic Design & Cost Estimate – Davis, Bowen & Friedel, Inc. (DBF)**

Town Manager Savage advised the Town has been considering a new Police Station (PS) for the past two years. Mr. Mike Wigley from DBF has brought a floor/site plan/cost estimate for discussion.

Mr. Wigley advised the Town Hall is two lots north of this property. It is an L-shaped building, with the PS and a secure police parking area at the rear of the property, along with regular parking at the front.

The lobby has been enlarged, as it will also serve as a multi-purpose room for the Town, seating approximately 70. The building is approximately 4,360 sq. ft. and was simply designed and small in size to keep costs down. The PS is completely separate with minimal- and highly-secure locked areas. Security for the PS adds to the cost per sq. ft. A metal roof or asphalt shingles are being considered. The building is estimated to cost approximately \$250 per sq. ft. and the total prospective cost is \$1,448,393.

Town Manager Savage is seeking input. The Town is not financially prepared to move forward with the building at this time. The \$30,000/yr. revenue from building permit fees is not adequate to fund the necessary loan. With finalization of the design, he will approach the state and USDA for a financial funding package and determine if the Town can move forward. An adequate building for the PS is imperative. The police officers have reviewed the plans. It ultimately depends on the cost.

Commissioner Carson commented that DBF has done a great job designing the building. It is a huge financial commitment; he believes the project will likely cost \$330/sq. ft. There is additionally a “dark cloud” over the Town concerning replacing the Wastewater Plant at a cost of millions of dollars. He is certainly in support of pursuing other funds (i.e. USDA, etc.) and recommends that the police review the plans for possible cost-cutting. He believes it is appropriate to accept the design and cost estimate from DBF tonight and continue

with the Town's due diligence process. Town Manager agreed with Commissioner Carson; this is also his first look at the potential cost of the building.

Per Commissioner Tassone, the Town must submit a design and cost analysis to the funding agencies to prove the Town has done its due diligence and then determine the available funding.

Commissioner Carson projected the life span of this new PS at potentially 50 years. He is interested in durability and quality materials. The long-term maintenance of a building that is not built to adequate standards becomes a problem. We need to consider space with reasonable growth projections and build it with the best possible materials so that it will last.

President Correll advised the Town is looking ahead to its new budget year, which begins July 1<sup>st</sup>. The Police Department must pursue grants and other monies for department equipment and the new building.

Motion to accept the design and cost estimate from DBF for the new PS – Carson; 2<sup>nd</sup> – Tassone; motion carried 3 to 2. The votes were recorded as follows: Banks – no; Carson – yes; Correll – yes; McDowell – no; Tassone – yes. Motion carried 3 to 2.

**B. Public Hearing, Discussion and Possible Voting on AN ORDINANCE TO AMEND THE LAND USE & DEVELOPMENT CODE RELATING TO SOURCE WATER PROTECTION (#2015-D)**

Town Manager Savage advised the Town is conducting a Public Hearing on an Ordinance concerning Source Water Protection (SWP). Per state law, once a community reaches 2,000 population, it must pass a (SWP) Ordinance. Ms. Lee Ann Walling from Cedar Creek Sustainable Planning Services has been the Town's consultant on this matter and has done a great deal of work on the Town's behalf.

Ms. Walling advised the Town is protecting its sources of drinking water through passing this Ordinance. In previous meetings it was determined that a wellhead protection area was delineated in the worst possible place for Bridgeville's future commercial growth at the intersection of Rt. 404/13 (Bridgeville Mall). The wells at this location belong to Tidewater Utilities and are not even in Town limits. Bridgeville would be responsible to protect these wells that do not belong to them, which would hinder Bridgeville's commercial growth.

The Town held a very productive meeting with Tidewater Utilities, DNREC and DBF in early March. Tidewater offered up two of their four fire protection wells, which would be used very rarely, if ever. Additionally, DNREC had over-projected how much the wells would be pumping and returned to the drawing board to recalculate needs. As a result, the Bridgeville Mall area is no longer a development issue. An Ordinance that will protect its water resources for future growth is ready for signature. Ms. Walling will request a letter from DNREC advising Bridgeville has met their approval with the passage of this Ordinance.

President Correll commented she is very pleased that the various agencies and businesses worked together to solve this issue. There was a real possibility that Bridgeville would not be able to pursue commercial growth around that intersection due to the Tidewater wells. DNREC and Tidewater were very helpful in solving the problem.

Solicitor Schrader recommended dating the correct wall map concerning Source Water Protection for clarification and identification in the future.

The Public Hearing was opened at 7:50 P.M. There were no comments or questions from the public; therefore, the Public Hearing was closed at 7:51 P.M.

Motion to adopt Ordinance #2015-D, promoting the Protection of Bridgeville Source Water and rename the adopted Ordinance #16-1 – Tassone; 2<sup>nd</sup> – Banks; motion carried.

## **XII. NEW BUSINESS**

### **A. Public Hearing, Discussion and Possible Voting on a Planning & Zoning Application from Passwaters Farm, LLC – Approval Phase 3, Section K Lot Line Changes**

Passwaters Farm, LLC was represented by Solicitors Ryan Showalter and Demetrios Kaouris from Miles and Stockbridge and by Mr. Neil Patel and Mr. Faris Nsour from Brookfield Residential.

Solicitor Showalter advised this application requests a minor revision of a portion of the Heritage Shores property, Phase 3, Section K, based on the housing market and economy.

The application involves a small portion of Phase 3, which has been previously approved by the Commission and encompasses a number of lot sizes and types. Land Bay K has direct access to the western entrance of the community. The northern portion of Land Bay K has been partially developed and is served by alleys with shallow rear-yards and rear-loaded garages, rather than front-loaded garages, as in the remainder of the development.

Per the developer, there isn't a strong demand for that product-type and would like to re-lot the southern half of Land Bay K to eliminate the alleys. Currently, 25 new lots are plotted; however, with alley elimination, they have presented a new layout of 29 lots, using previous alley and open space for these newly-designed lots. Mr. Showalter advised the density of the entire project will not change; subsequent phases will be adjusted.

The Planning and Zoning Commission considered this minor change at their March meeting and approved it unanimously. It is now in the hands of the Town Commission for possible approval.

President Correll questioned the already-developed houses with alleys. Mr. Patel advised there are approximately 40 homes built with alleys; they will not be changed and are for sale. Commissioner Tassone advised he is in favor of this marketing change.

Solicitor Schrader opened the Public Hearing at 7:57 P.M. and asked if there were any questions or comments. There being none, the Public Hearing was closed at 7:58 P.M.

Motion to approve the Passwaters Farm, LLC proposed Phase 3, Section K Lot Line Changes – Tassone; 2<sup>nd</sup> – Carson; motion carried.

### **B. Planning and Zoning Commission Member Re-Appointments**

Town Manager Savage reported the Planning and Zoning Commission (P&Z) appointments for four members are up for renewal (Mrs. Eleanor Bennett, Mr. Jack Cannon, Mr. Steve Dell and Mr. Ed Lewandowski) and all are willing to be re-appointed to the P&Z.

Motion to re-appoint the above four P&Z members – Carson; 2<sup>nd</sup> – Tassone; motion carried.

**C. DNREC Funding Application**

Town Manager Savage advised the Town has completed a funding application for the Wastewater Treatment Plant upgrade, which is the first step to secure funding. The preliminary price tag is \$13,057,787. Approval is requested for Town Manager Savage and Town Engineer Jason Loar to act on Bridgeville's behalf concerning the application and funding. The plant upgrade would be brought before the Commission for a final vote in the future. Permission is needed for Town Manager Savage to sign the DNREC funding application.

Motion to approve signing the DNREC funding application and having Town Manager Savage and Town Engineer Jason Loar act on the Town's behalf during the application process – McDowell; 2<sup>nd</sup> – Banks; motion carried.

**D. Economic Development Committee (EDC) Grant Awards**

Town Manager Savage reported the receipt of a letter from the EDC concerning grant awards for local businesses. Chairperson Ruth Skala advised the state required that they expend the funds by June 30th. They met over the weekend, allowing the applications to be approved by the Commissioners tonight. The 4 projects approved include (1) Pioneer Antiques – Mrs. Doris Beulah – windows/interior work-approx. \$2,800; (2) Tim Curry – signage & concrete wall painting-approx. \$2,000; (3) Tony's Pizza – portico/patio upgrade-\$3,000; (4) Snappy's Grille – deck/ramp replacement-\$2,500. The 5<sup>th</sup> application came from the Church Mouse Consignment Shop, which is a not-for-profit organization of the Methodist Church, not a private, retail business. Mrs. Skala expressed her desire to fund for-profit businesses and to improve the downtown.

Mrs. Skala hopes they will be able to continue to offer project money in future years. She added that the business owners will not receive any money until the project is complete. Code Enforcement Officer Butler will be overseeing the work.

President Correll questioned building permits for these projects. Per Town Manager Savage, a licensed contractor will be required, as well as a building permit from the Town, based on project cost. She desires that the Town be cautious in its actions, as these projects are setting a precedent.

It was determined that Town Manager Savage and Mrs. Skala would review the finances and determine the correct award amount for each project. Town Manager Savage advised they will amend the grant amounts, based on the \$14,000 budget. \$3,700 will go to satisfy the Resolution with DEDO.

Solicitor Schrader the Town must require verification of expenses by the businesses with grant approval.

Motion to award Economic Development grants to Pioneer Antiques, Snappy's Grille, Tony's Pizza and The Emporium, following a review of finances by Town Manager Savage and Mrs. Ruth Skala – Banks; 2<sup>nd</sup> – McDowell; motion carried.

Mrs. Skala shared a "rack card" produced for advertising Bridgeville; copies are available at the Town office. She advised the March meeting with commercial realtors was very worthwhile. The realtors believe it is important to bring water/sewer resources to Town properties in anticipation of acquiring interested developers; the Town would then receive compensation after the fact. They felt that Bridgeville is on the right track, as we

have a good police force and a safe environment. It was a very positive conversation. Commissioner Tassone was pleased that the realtors asked for another meeting in three months.

Commissioner Carson thanked Mrs. Skala for her work with the committee. He acknowledges that the new letterhead presented tonight concerns the Economic Development Committee, but believes it should also carry the “if you lived here you’d be home now” logo. Commissioner Tassone added the realtors encouraged the Town to carry-through with a logo in all literature/banners/etc.

### **XIII. INTRODUCTION OF ORDINANCE(S)**

Commissioner McDowell made a motion to introduce Ordinance # 2016-A – “An Ordinance to amend the Zoning District designation for the lands of Virginia M. Kefauver from R-1 Residential District to C-1 Commercial District for certain parcels of land lying and being in the Town of Bridgeville on Wilson Farm Road containing 4.72 acres, more or less.” Town Manager Savage added the request will go to P&Z for their May 17<sup>th</sup> meeting and will return to the Town Commission for their June 13<sup>th</sup> meeting.

### **XIV. GOOD OF THE ORDER**

President Correll publicized the Kiwanis Club BBQ on Rt. 404, Sunday April 24<sup>th</sup>. Bridgeville’s Police K-9, “Flash”, will benefit from the BBQ proceeds.

### **XV. ADJOURNMENT**

Motion to adjourn – Tassone; 2<sup>nd</sup> – McDowell; the meeting was adjourned at 8:22 P.M.

Respectfully submitted,

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Lawrence Tassone, Commission Secretary

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Peggy Smith, Transcriptionist